IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 3RD APRIL 2007 / 13TH CHAITHRA 1930

WP(C).No. 5586 of 2007(M)

PETITIONER:

KERALA HOLY CROSS SISTERS SOCIETY,
THRIKKAKARA, REPRESNTED BY ITS
AUTHORIZED SIGNATORY SISTER SHINY GEORGE,
NADAKKAVU, CALICUT.

BY ADV. SRI.K.I.MAYANKUTTY MATHER
SMT.S.AMINA

RESPONDENTS:

---

1. STATE OF KERALA, REPRESENTED BY ITS
CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. SECRETARY, HIGHER EDUCATION DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM.

3. UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR,
THENHIPALAM, MALAPPURAM DISTRICT.

BY ADV. SRI. P.C. SASIDHARAN SC.
GOVERNMENT PLEADER SRI. I.V. PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO. 5586 OF 2007

DATED THIS THE 3rd DAY OF APRIL, 2007

JUDGMENT

The petitioner is a Society which has established a College for the courses, B.Sc Fashion Designing, B.Sc. Catering and Food Technology as also MSW (Post Graduate course) as self financing courses. They applied for affiliation to the Calicut University for affiliation for the above said courses. They are aggrieved by the inaction on the part of the University in granting affiliation to the said courses.

2. The learned Standing counsel appearing for the University submits that an inspection has already been conducted on 20.01.06 of the petitioner's college to ascertain whether there are sufficient facilities in the College for granting affiliation. The contention of the standing counsel for the University is that they have written to the Government for their views as required under the University statutes, on 15.02.2007 and they are yet to receive any reply from the Government.

3. The learned counsel for the petitioner submits that it is settled law that the University is to decide the question of affiliation on

its own and they are not expected to indefinitely wait for the views of the Government in the matter. I am of opinion that just because the Government is not taking any action on the communication from the university, the matter cannot be allowed to drift any further. Accordingly, I direct the University to take a decision on the request for affiliation by the petitioner to the courses, they intend to start within a period of one month from the date of receipt of a copy of this judgment, whether the Government responds to their communication or not.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd